

In Re: : **CASE NO. 16-10984-TPA**
:
Brian Craig Fitzgerald and : **CHAPTER 13**
Colleen Marie Fitzgerald, :
Debtors, :
: **MOTION NO.: WO - 1**

Colleen Marie Fitzgerald, :
Movant, : **DOCKET NO.: 31**
:
vs. :
:
HomeAides Inc., :
:
and :
:
Ronda J. Winnecour, Esquire, :
Chapter 13 Trustee. :
Respondents. :
:
Social Security No. xxx-xx- 2409 :

ORDER TO PAY TRUSTEE PURSUANT TO WAGE ATTACHMENT

The above-named Debtor(s) having filed a Chapter 13 petition and Debtor(s) having moved to attach wages to fund the Chapter 13 Plan:

IT IS HEREBY ORDERED that until further order of this Court, the entity from which the Debtor receives income:

**HOMEAIDES INC
4934 PEACH STREET
ERIE PA 16509
ATTENTION: PAYROLL ADMINISTRATOR**

Shall deduct from said income in the amount of One Hundred Fifteen Dollars and Thirty-Eight Cents (\$115.38) bi-weekly (each pay period), for a monthly total of Two Hundred Fifty Dollars (\$250.00), beginning on the next pay day following receipt of this order and shall deduct a similar amount each pay period thereafter, including any period for which the debtor receives a periodic or lump sum payment as a result of vacation, termination or other benefits arising out of present or past employment, or from any other benefits payable to the debtor, and shall remit the deducted sums ON AT LEAST A MONTHLY BASIS to:

**RONDA J. WINNECOUR, ESQUIRE
STANDING CHAPTER 13 TRUSTEE
PO BOX 84051
CHICAGO IL 60689**

IT IS FURTHER ORDERED that the above-named entity shall notify the Debtor's attorney, Daniel P. Foster, Esquire, Foster Law Offices, Post Office Box 966, Meadville, PA 16335, 814.724.1165, and the Chapter 13 Trustee if the debtor's income is terminated and the reason therefore.

IT IS FURTHER ORDERED that the Debtors shall serve this Order and a copy of the Notification of Debtor's Social Security Number, Local Bankruptcy Form 12, that includes the Debtor's full Social Security number on the above-named entity. Debtor shall file a certificate of service regarding service of the order and local form, but the Social Security number shall not be included on the certificate.

IT IS FURTHER ORDERED that all remaining income of the Debtor, except the amounts required to be withheld for taxes, Social Security, insurance, pension, or union dues be paid to the Debtor in accordance with usual payment procedures.

IT IS FURTHER ORDERED THAT NO OTHER DEDUCTIONS FOR GARNISHMENT, WAGE ASSIGNMENT, CREDIT UNION OR OTHER PURPOSE SHALL BE MADE FROM THE INCOME OF DEBTOR WITH THE SOLE EXCEPTION OF ANY SUPPORT PAYMENTS.

IT IS FURTHER ORDERED that this order supersedes previous orders made to the above-named entity in this case.

IT IS FURTHER ORDERED that the above-named entity shall not charge any fee to the Debtor for the administration of this attachment order, except as may be allowed upon application to and order of this Court.

IT IS FURTHER ORDERED that the debtor(s) shall remain responsible for timely making all monthly plan payments to the Chapter 13 Trustee, either in whole or in part, until such time as the automatic paycheck withdrawals by the employer or other automatic attachments such as automatic bank transfers or welfare checks begin. The first Plan payment is due within thirty (30) days after the Chapter 13 Plan has been filed. Any failure to timely remit full Plan payments to the Trustee may result in the dismissal of the case after notice and hearing. Employers and others who fail to withhold funds and pay them over to the Trustee as ordered herein may be subject to sanctions including damages to debtor and this estate.

DATE: November 21, 2016

BY: 
Thomas P. Agresti, Judge
United States Bankruptcy Court

Certificate of Notice Page 3 of 3
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Brian Craig Fitzgerald
 Colleen Marie Fitzgerald
 Debtors

Case No. 16-10984-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: culy
 Form ID: pdf900

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Nov 21, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 23, 2016.

db/jdb +Brian Craig Fitzgerald, Colleen Marie Fitzgerald, 16469 Route 957, Bear Lake, PA 16402-3733

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 23, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 21, 2016 at the address(es) listed below:

Daniel P. Foster on behalf of Joint Debtor Colleen Marie Fitzgerald dan@mrdebtbuster.com, clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com
 Daniel P. Foster on behalf of Debtor Brian Craig Fitzgerald dan@mrdebtbuster.com, clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com
 Joshua I. Goldman on behalf of Creditor NATIONSTAR MORTGAGE LLC bkgroup@kmllawgroup.com
 Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
 Ronda J. Winneccour cmeccf@chapter13trusteeewdpa.com

TOTAL: 5